



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/138,378	08/24/1998	SHIGEKI HAMURA	1046.1188/JD	4007

21171 7590 01/31/2003

STAAS & HALSEY LLP
700 11TH STREET, NW
SUITE 500
WASHINGTON, DC 20001

EXAMINER

GARCIA, GABRIEL I

ART UNIT

PAPER NUMBER

2624

18

DATE MAILED: 01/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/138,378

Applicant(s)

Hamura et al.

Examiner

A. Garcia

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/3/02.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 14617 6) ☐ Other:

Art Unit: 2624

DETAILED ACTION

1. This application has been examined. This office action is in response to the request filed on for a Continued Examination (RCE) under 35 CFR 132(d) based on parent Application No. 09/138,378 is acceptable and a RCE has been established. An action on the RCE follows. The supplemental amendment filed on 12/3/02. Claims 1-30 are pending in this application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

3. Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Kageyama et al. (5,774,638).

With regard to claim 1, Kageyama et al. teaches a printer (figure 1, items 11 and 18) outputting a plurality of types of print data corresponding to one or more images to be printed on page (i.e. col. 5, lines 41-53 and col. 29, lines 4-11), each of the types of print data having an attribute identifying the type of print data, the attribute (e.g. col. 29, lines 4-11) comprising one of a first kind of attribute and a second kind of attribute and being designated by a host computer (i.e. see figs. 26-27 and col. 3, lines 10-24, fig. 26, and col. 29, lines 4-11 describes how the attribute can

Art Unit: 2624

be of a first kind such as text or of a second kind such as images, the attributes are designated by the host computer by sending a attributes by way of a header as shown in fig. 26)), said printer comprising: an image buffer (i.e. figure 1, item 141 or 142) having a plurality of storage locations (i.e. figures 20-26, see also col. 27 and 28) and storing each type of print, one by one, in a different one of storage locations according to one of a first kind of attribute and a second kind of attribute of each type of print data (i.e. col. 3, line 10-20, col. 22, lines 62-67, and col. 23, lines 48-55, see also figure 26); a plurality of video interfaces (i.e. figure 1, items 104,114 and 124), each of said video interfaces independently reading each of the types of print data stored in a corresponding storage location of said image buffer (reads on figure 1, the interfaces (104,114 and 124) read the data from the shared memory (141) to be processed by the different image processors (107,117 and 127)); a print data integration circuit (reads on figure 1, item 100, which controls the integration of data to be printed by the print engine 18, see col. 3, line 55 thru col. 4, line 11) integrating the plurality of types of print data read by the video interfaces to be printed on one page (e.g. col. 5, lines 41-53 and col. 29, lines 4-11); and an output mechanism (figure 1, item 18) outputting the integrated print data on one page (i.e. col. 3, line 55 thru col. 4, line 11 and col. 5, lines 41-53).

With regard to claim 2, Kageyama et al. further teaches the plurality of types of print data stored in said image buffer contain form print data corresponding to a form as the first kind of attribute and text print data corresponding to a text, as the second kind of attribute, to be printed over the form (fig. 16 and col. 24, lines 7-40).

Art Unit: 2624

With regard to claim 3, Kageyama et al. further teaches a printer having separation unit (reads on fig. 1, item 100) for separating print data corresponding to an image as the first kind of attribute with a text into a type of print data corresponding to the image and type of print data corresponding to the text, as the second kind of attribute (e.g. col. 3, line 10 thru col. 4, line 19); and a storage unit (fig. 1, item 141) for storing each of the types of separated in said image buffer according to the attribute of each type of separated print data (e.g. col. 3, lines 10-32 and fig. 26).

With regard to claim 4, Kageyama et al. further teaches a printer comprising a plurality of image processing circuits (fig. 1, item 100, 110, or 120), each of said image processing circuits applying an image process to the type of print data read by a corresponding one of said video interfaces (col. 5, lines 42-53).

With regard to claim 5, Kageyama et al. further teaches a plurality of types of print data stored in said image buffer are obtained by dividing print data corresponding to the image to be printed data on one page into a plurality of bands, each of the bands corresponding to one of the first kind of attribute and the second kind of attribute, and wherein said print data integration circuit alternately selects the print data read by each of said video interfaces and outputs the selected print data to said output mechanism (e.g. figures 20-24 and col. 5, lines 42-53).

Art Unit: 2624

With regard to claims 6-12, the limitations of claims 6-12 are covered by the limitations of claims 2-5 above (e.g. part of the printer of claims 2-5 consist of the controller as claimed in claims 7-10).

With regard to claims 13-30, the limitations of claims 13-30 are covered by the limitations of claims 1-12 above.

Conclusion

4. Applicant's arguments filed 12/3/02 have been fully considered but they are not persuasive.

With regard applicant's argument that Kageyama's drawing attribute parameters are not the same as the attribute of the present invention identifying the type of data such as form, image or text. Examiner asserts that the drawing attribute parameters identify the data such as form or text (see col. 29, lines 4-11), which identifies the data type by added command(s) attached to the data received from the host computer (see figs. 1 and 26).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabriel I. Garcia whose telephone number is (703) 305-8751. The examiner can normally be reached Monday thru Thursday from 7:30AM-6:00PM.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 306-0377.

Application/Control Number: 09/138,378

Page 6

Art Unit: 2624

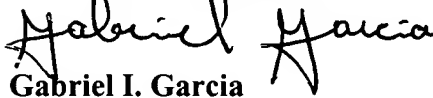
Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

or faxed to:

(703) 872-9314 (official or unofficial)

GABRIEL GARCIA
PRIMARY EXAMINER

A handwritten signature in cursive script that reads "Gabriel Garcia". The signature is written in dark ink and is positioned over the printed name and title of the examiner.

Gabriel I. Garcia
Primary Examiner
January 29, 2003